IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Pearce et al.	)
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For:	Mitigating Errors in a Distributed Speech Recognition Process	)
		)
Serial No.:	09/830,306	)
		)
Filed:	April 25, 2001	)
		)
Examiner:	Wozniak, J.	)
		)
Art Unit:	2626	)

Pre-Appeal Brief Request for Review

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Applicants hereby request review of the final rejection in the above-identified application. No amendments are being filed with this request. The present request is being filed in conjunction with a notice of appeal. The review is being requested for the reasons stated below, which frames the issue to be considered as part of the pre-appeal review process.

The Examiner continues to reject claims 1, 3, 4, 6, 7, 11-13, 15, 16, 18, 19 and 23-26. More specifically, the Examiner has rejected the claims under 35 USC §103(a) as being unpatentable over Jacobs et al., US Patent No. 5,956,683, in view of one or more of Jeon et al., US Patent No. 5,673,363, Ozawa, US Patent No. 5,305,332, and Yeldener et al., US Patent No. 5,774,837. However, contrary to the Examiner's assertion, the combination of references being relied upon by the Examiner in support of the rejection fail to make known each and every feature of the claims, as presently pending.

In attempting to reject the claims, the Examiner correctly asserts that Jacobs et al., '683, minimally fails to provide for any type of transmission error correction as is disclosed in the presently claimed invention. With respect to at least independent claims 1, 3, 13 and 15, the

noted deficiency is alleged to be made known by Jeon et al., '363, where the Examiner further concludes that it would have been obvious to combine the same. However, the alleged combination of references fails to make known replacing the one or more speech recognition parameters (claims 1 and 13) and/or replacing the entire vector (claims 3 and 15) in the identified group of vectors, which have undergone a transmission error, with copies of one or more corresponding speech recognition parameters and/or entire vector from a different vector, corresponding to a different particular sampling time frame.

Jeon et al., '363, alternatively provides for the reconstruction of frequency coefficients of a frame where errors have occurred using predetermined weight values and frequency coefficients of one or more frames received without error, where the replacement frequency coefficient is determined by applying the weight value to the frequency coefficient from the frame received without error.

In addressing the applicants comments, the Examiner attempts to allege that Jeon et al., '363, discloses replacing error frames of parameters with copies of coefficients from future frames without error. But then remarkably the Examiner attempts to further explain, that although the replacement parameters are weighted, that the weighted parameters are essentially copies, even if they are later weighted. It is noted that the value used to replace the value is the one that is weighted, consequently the weighting does not occur later. Furthermore the replacement value is not a copied value, but is a value that is computed, which can only have an equivalent value if the weighting value happens to be equal to one. Where the weighting value, mathematically, is generally identified as having a potential positive value less than or equal to one (i.e. $0 < w \leq 1$), the teachings are directed to a value that is less than one at least for the first weighting value α_1. Nevertheless, the value is never copied, but is taught always to be calculated using a weighting value, which as noted above will only have an equivalent value after being weighted, if the weighting value happens to be one.

Still further, in the cited reference, the replaced parameter is not replaced with a copy of the **corresponding** parameter from a different vector (i.e. C_9 replaced with C_9 from a different vector). In the cited reference it is not the corresponding parameter, but alternatively it is the last parameter S_m from the immediately prior frame that was received without error, which is used to replace the first parameter S_1 from the frame that was received with error, and only after being multiplied by the weight value α_1 (see col. 5, lines 5-10). The second parameter S_2 from the

frame that was received with error is then determined from the reconstructed first parameter S_1 after being multiplied by the weight value α_2 (see col. 5, lines 10-12). Consequently, the replaced parameter not only is not a copy, but is not a copy of the corresponding parameter from the different vector. As a result, the combination of references fail to make known or obvious each and every feature of the independent claims 1, 3, 13 and 15, and indirectly each of the dependent claims, which depend therefrom.

In view of the above remarks, the applicants would respectfully request that the Examiner's final rejection of the claims be withdrawn.

Respectfully submitted,

BY: /Lawrence Chapa/
Lawrence J. Chapa
Reg. No. 39,135
Phone (847) 523-0340
Fax. No. (847) 523-2350

Motorola, Inc.
Mobile Devices
Intellectual Property Department
600 North US Highway 45, W4 35Q
Libertyville, IL 60048